

AN ORDINANCE **9 8 7 1 2**

**REVISING THE APPROVED INTRAJURISDICTIONAL AGREEMENT BETWEEN THE SAN ANTONIO WATER SYSTEM (SAWS) AND THE CITY OF SAN ANTONIO (COSA) FOR THE TRANSFER OF APPROXIMATELY 1,916 ACRES OF LAND IN BEXAR COUNTY, TEXAS, FROM SAWS TO COSA IN EXCHANGE FOR THE IMPOSITION OF CONSERVATION EASEMENTS ON OTHER PROPERTIES INCLUDING APPROXIMATELY 710 ACRES (THE CHRIS HILL CONSERVATION EASEMENT) AND APPROXIMATELY 855 ACRES TO BE ACQUIRED (THE LAUDER CONSERVATION EASEMENT) IN FAVOR OF SAWS AND THE ASSUMPTION BY COSA OF CERTAIN OBLIGATIONS FOR PAYMENT OF THE ACQUISITION OF THE LAUDER PROPERTY AND FURTHER AUTHORIZING THE SUBSEQUENT TRANSFER OF APPROXIMATELY 637 ACRES OUT OF THE 1,916 ACRES TO THE CITY OF SAN ANTONIO, TEXAS, STARBRIGHT INDUSTRIAL DEVELOPMENT CORPORATION TO BE USED TO FULFILL A PORTION OF THE REQUIREMENTS OF THE PROJECT STARBRIGHT AGREEMENT.**

\* \* \* \* \*

**WHEREAS**, the City of San Antonio (“City”) other governmental entities; various utility providers, including the San Antonio Water System, and the City of San Antonio, Texas, Starbright Industrial Development Corporation (Corporation”) have negotiated an agreement with the Toyota Motor Manufacturing North America, Inc. (“Toyota”) under which certain assistance would be provided to Toyota to assist it in development of an auto manufacturing or assembly facility in San Antonio; and,

**WHEREAS**, one portion of that agreement involves the controls on and the acquisition of certain property that includes tracts totaling 1,916 acres, more or less which is owned in the name of the City and is under the control of the Board of Trustees of the San Antonio Water System; and,

**WHEREAS**, City Council previously adopted Ordinance 98305 on October 9, 2003 regarding this transaction and the parties desire to incorporate certain changes to the agreement prior to execution; and,

**WHEREAS**, after acquisition of the land the City is authorizing the City Manager to convey 637 acres of the property to the Corporation for subsequent conveyance to Toyota or its assigns; and,

**WHEREAS**, the remaining land will be held by the City for subsequent conveyance subject to the restrictions imposed in the Project Starbright Agreement as well as under the terms and conditions of the Intrajurisdictional Agreement which is the subject of this ordinance; and,

**WHEREAS**, the City will receive three additional tracts of land referred to in the revised agreement as the Additional Parcels and which comprise approximately 76 acres of real property; and,

**WHEREAS**, concurrently the City of San Antonio is acquiring or anticipates acquiring various properties as part of its Proposition III project that includes, among other tracts, the Chris Hill property (710 acres, more or less) and the Lauder Conservation Easement (855 acres, more or less); and

**WHEREAS**, the parties have agreed to impose restrictions on the Chris Hill property and the Lauder property in the nature of conservation easements in favor of the SAWS Board as compensation for the property being transferred to the City; and

**WHEREAS**, the parties have agreed on the valuations set out in the attached revision to the Intra-jurisdictional Agreement, subject to adjustments as set out below; **NOW THEREFORE**,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** Ordinance 98305 is hereby amended to substitute the revised Intra-jurisdictional Agreement for the transfer of control of real property from the San Antonio Water System's to the City of San Antonio as substantially set out in the attached document and subject to certain adjustments noted below. The City Manager, the Deputy City Manager or any Assistant City Manager is authorized to negotiate the final terms and to execute the final agreement for a period of forty-five days from the date of passage of this ordinance.

**SECTION 2.** The City Attorney is authorized to substitute updated surveys or legal descriptions for the properties as further clarification of the intent of the agreement and to make such other technical corrections as may be necessary to implement this ordinance.

**SECTION 3.** The City Manager is further authorized to convey the property identified in the Intra-jurisdictional Agreement as the Northern tract, which consists of approximately 637 acres to the City of San Antonio, Texas, Starbright Industrial Development Corporation in partial fulfillment of the city's obligations under the Project Starbright Agreement.

**SECTION 4.** This ordinance shall be immediately effective if it receives at least eight affirmative votes. Otherwise, it shall be effective on January 25, 2004.

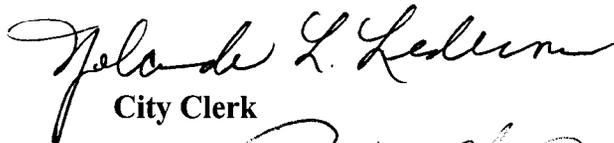
**PASSED AND APPROVED** this the 15th day of January, 2004.



M A Y O R

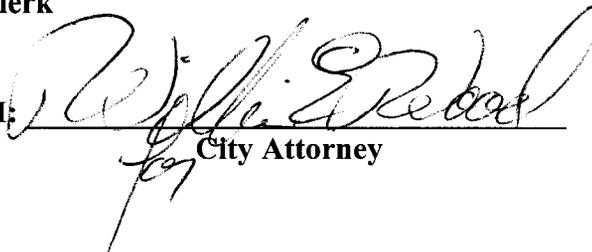
EDWARD D. GARZA

**ATTEST:**



City Clerk

**APPROVED AS TO FORM:**



City Attorney